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APPLICATION NO. 097481-902	FILING DATE 01/12/00	CHAN	FIRST NAMED INVENTOR	B	ATTORNEY DOCKET NO. E0339025
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MMC1/0806

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ART UNIT

PAPER NUMBER

08/06/01

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/481,903

Applicant(s)

CHAN ET AL

Examiner

Juliana K. Kang

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 25 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 27-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's election of Group I in Paper No. 6 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Inventorship

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: on page 32 of the specification there are numerous reference sings mentioned referring to Fig. 8, but those reference sings are not shown in Fig. 8. i.e. 30, 26, 18, 32, 26, 38.. Corrections are required.

Specification

4. Applicant's assistance is requested to correct any errors that may be noticed in the application.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-10, 12-17, 19-24 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichino et al (U.S. Patent 6,071,016).

Regarding claims 1 and 3, Ichino et al teaches a package article for removably accepting a fiber optic cable comprising a laminate 17, an amplifier die 16, a flexible circuit electrically connected to and supported by the laminate (see column 2 lines 55-67), and an optoelectronic die 8 electrically connected to the flexible (see Fig. 1). Note that even though Ichino et al does not show a host card, by looking at Figs. 1 and 5 wherein the laminate 17 has multiple leads protruding, one with ordinary skill in the art would have easily recognized to mount Ichino et al's package article to a host for further connection of the optical package article to an optical system.

Regarding claims 2, 4, 7, 8, and 27-30 as described above, Ichino et al teaches claimed invention except a heatsink carrier. Placing an optoelectronic device on a heatsink is well known in the art to avoid the damage of the optoelectronic device by heat. Since Ichino et al teaches that the photodetector circuit ceramic board is not influenced by the thermal expansion it would have been obvious to one with ordinary skill in the art to recognize that there is a heatsink and also note that some heatsinks are made of ceramic material. Regarding method claims 27-30, which parallel article claims without introducing of any particular manufacturing methods, so that it is proper to examine the article and method claims together.

Regarding claims 5 and 6, even though Ichino et al does not show an optical connector, there must be an optical fiber cable connector that fits into left side of the receptacle unit shown in Fig. 1.

Regarding claims 9, 12, 14-17, and 19-24, as described above Ichino et al teaches claimed invention including a overmold frame 22.

Regarding claim 10, Ichino et al teaches using resin to connect circuit unit (see claim 2 of Ichino et al).

Regarding claim 13, Ichino et al shows a retainer 1, however, the snap connection of optical fiber cable to the retainer is not specifically taught. It would have been an obvious design choice to make the Ichino et al's fiber connection to the retainer as a snap connection for easier and faster assembly operation.

7. Claims 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichino et al (U.S. Patent 6,071,016) as applied to claims 9 and 16 above, and further in view of Henningsson et al (U.S. Patent 6,072,613).

As described above, Ichino et al teaches claimed invention except the faraday barrier shield. Henningsson et al teaches an opto-electronic transceiver module with a faraday barrier for shielding the transmitter side from the receiver side. It would have been obvious to one with ordinary skill in the art to apply Henningsson et al's teaching of faraday barrier in Ichino et al to provide RF shielding for optoelectronic component.

Conclusion

8. The prior art documents submitted by applicant have been considered and made of record (note the attached copy of forms PTO-1449).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Henson et al (U.S. Patent 5,940,562) shows an optoelectronic device receptacle for connecting optical cable to optoelectronic components. Hall et al (U.S. Patent 6,234,687 B1) shows an assembly of an optoelectronic die and a fiber optic coupler wherein the die and the coupler are bonded together after the alignment. Laninga et al (U.S. Patent 6,116,791) shows an optical coupler for coupling an optical fiber to an optoelectronic device. Almquist et al (U.S. Patent 4,912,521) shows an electro-optical transducer assembly in one package format (see Fig. 1).


Art Unit: 2874


10. Any inquiry concerning the merits of this communication should be directed to Examiner Juliana K. Kang at telephone number (703) 305-6259. Any inquiry of a general or clerical nature (i.e. a request for a missing form or paper, etc.) should be directed to the Technology Center 2800 receptionist at telephone number (703) 308-0956 or to the technical support staff supervisor at telephone number (703) 308-3072.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juliana K. Kang whose telephone number is (703) 305-6259. The examiner can normally be reached on Mondays and Thursday 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rod Bovernick can be reached on (703) 308-4819. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-3072.


Juliana Kang
July 30, 2001


Rodney Bovernick
Supervisory Patent Examiner
Technology Center 2800